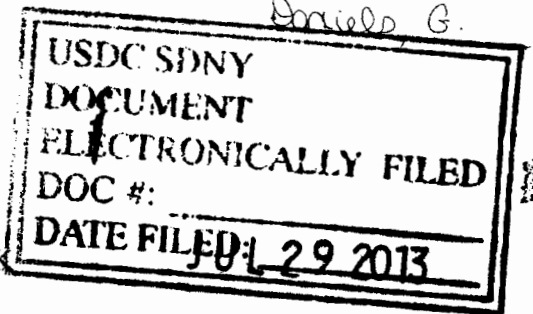


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



SHAUB AND WILLIAMS, L.L.P.,

Plaintiff,

- against -

AUGME TECHNOLOGIES, INC.,

Defendant.

Civil Action No. 13-cv-1101 (GBD)(jcf)
ECF Case

STIPULATED PROTECTIVE ORDER RE INSURANCE POLICY

WHEREAS, Plaintiff on May 15, 2013 disclosed the existence of malpractice insurance coverage policy (the "Policy") to Defendant in its initial Rule 26(f) disclosures;

WHEREAS, Plaintiff made a tender to their malpractice insurer on April 18, 2013, which was rejected by letter from the insurer dated May 13, 2013 ("Letter of Denial") because of the "Fee Dispute Exclusion Endorsement;"

WHEREAS, on May 21, 2013, counsel for Defendant requested a copy of Plaintiff's Policy, and Plaintiff notified counsel for Defendant that coverage had been denied by the insurer, and therefore, Plaintiff believes it is no longer necessary to produce the Policy;

WHEREAS, upon counsel for Defendant's renewed request to review the Policy, Plaintiff indicated it would produce the Policy and Letter of Denial subject to certain conditions which seek to protect and preserve the relationship between Plaintiff and its insurance carrier;


WHEREAS, based on the foregoing, the parties stipulate to a protective order approved by the Court, which places Plaintiffs' Policy, the Letter of Denial, and any other related documents under such order upon the following terms:

IT IS STIPULATED BETWEEN THE PARTIES THROUGH THEIR ATTORNEYS OF RECORD THAT

1. Defendant hereby agrees to treat as confidential Plaintiff's Policy, the Letter of Denial, and any other related documents, and to not contact the insurance carrier, directly or otherwise, except as provided herein;
2. If Defendant wishes to contact the insurance carrier, directly or indirectly, it must first provide Shaub & Williams LLP written notice of such intent to contact, meet and confer with Shaub & Williams LLP regarding such intended contact by telephone or in person, and afford a reasonable time prior to such contact for Shaub & Williams LLP to send the Court a letter and have the matter resolved by the Court;
3. Unless otherwise ordered by the Court, Defendants are not authorized to disclose or use the malpractice insurance policy information in this action.

SO STIPULATED AND AGREED.

Date:


Yup-Fong C. Amato

Date:

7/23/2013


David R. Shaub

SO ORDERED.


George B. Daniels, U.S.D.J.
HON. GEORGE B. DANIELS

Dated: New York, New York

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